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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,749	02/25/2004	Christopher E. Bales	BEAS-01372US0	2989
23910	7590	11/02/2007	EXAMINER	
FLIESLER MEYER LLP			KEATON, SHERROD L	
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SAN FRANCISCO, CA 94108			PAPER NUMBER	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/786,749

Applicant(s)

BALES ET AL.

Examiner

sherrod keaton

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8-15-2007</u> .   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is in response to the original filing of August 16, 2007. Claims 1-23 are pending and have been considered below:

#### ***Withdrawn Objection of Specification***

1. The objection of the specification has been withdrawn in light of the amendment.

#### ***Withdrawn Claim Objections***

2. Claims 11-16 objections have been withdrawn in light of the amendment.

#### ***Withdrawn Claim Rejections***

3. Claim 23 rejection has been withdrawn in light of the amendment.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng et al. ("Ng" US 6285366 B1) in further view of Brassard et al. ("Brassard" US 6769095 B1) and Microsoft Windows ("Windows Explorer") copyright © 1981-2001.

**Claims 1, 17, and 23:** Ng discloses a method, interactive tool (Column 4, Lines 49-56), machine readable medium and computer readable medium (Column 2, Lines 29-35) for interactively manipulating a graphical hierarchy including a plurality nodes comprising:

a.) Selecting a second node in the hierarchy, different from the first node, the first node being a root node of the hierarchy (Column 4, Lines 11-48; Column 10, Lines 56-67) the first node is the root node and lower nodes can be selected which are subtrees in the hierarchy and not the root node;

b.) providing view of hierarchy where the second node is the root node of the viewer (Column 2, Lines 51-58); Ng allows multiple nodes to be displayed, and also allows for different selection of launch nodes which can further display more of a hierarchy tree, launch a website, or display further information about the node.

However Ng does not explicitly disclose:

c.) selection of one of the plurality of nodes can invoke a context sensitive editor for information associated with the node. But Brassard discloses a hierarchically structured control information editor and further discloses a context sensitive editor to create, modify and display hierarchically structured control information (Column 4, Lines 6-34).

Therefore it would have obvious to one having ordinary skill at the time of the invention

to add context sensitive editing with the hierarchy navigation system of Ng. One would have been motivated to allow the context sensitive editing to add to user-friendliness of the invention and would make the invention efficient allowing the user to have personalized text and visual indicators.

Neither Ng or Brassard disclose that the view does not show the root node of the hierarchy. However Windows Explorer shows a hierarchy in which the root node is removed from view within the hierarchy (Figures 1 and 2; 101 and 201). OACS is the root node and once APPLICATIONS is chosen the exploded node becomes the focus of view not displaying OACS. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow a view not including the root node in the modified Ng as taught by Windows explorer. One would have been motivated to provide this view because it provides an improved design choice for the system.

**Claim 2:** Ng, Brassard and Windows Explorer disclose a method as in Claim 1 and further disclose restoring an original view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 3:** Ng, Brassard and Windows Explorer disclose a method as in Claim 1 and further discloses:

a.) selecting a third node in the hierarchy where third node is different from first and second (Ng: Column 4, Lines 11-48; Column 10, Lines 56-67); and

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b.) providing a view of the hierarchy where third node is root node (Ng: Column 2, Lines 51-58).

**Claim 4:** Ng, Brassard and Windows Explorer discloses a method as in Claim 3 and further disclose restoring a previous view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 5:** Ng, Brassard and Windows Explorer disclose a method as in Claim 1 and further disclose the plurality of nodes representing information pertaining to portal resources (Ng: Column 7, Lines 29-46).

**Claim 6:** Ng, Brassard and Windows Explorer discloses a method as in Claim 1 and further discloses the view of the hierarchy being part of a portal administration tool (Ng: Column 6, Lines 45-54).

**Claim 7:** Ng discloses a method for interactively manipulating a graphical hierarchy including a plurality nodes comprising:

a.) Selecting a second node in the hierarchy, different from the first node the first node being a root node of the hierarchy (Column 4, Lines 11-48), (Column 10, Lines 56-67) the first node is the root node and lower nodes can be selected which are subtrees in the hierarchy and not the root node;

b.) providing view of hierarchy where second node is root node of the viewer. (Column 2, Lines 51-58); Ng allows multiple nodes to be displayed, and also allows for different

selection of launch nodes which can further display more of a hierarchy tree, launch a website, or display further information about the node.

d.) the plurality of nodes representing information pertaining to portal resources  
(Column 7, Lines 29-46);

e.) the view of the hierarchy being part of a portal administration tool (Column 6, Lines 45-54).

However Ng does not explicitly disclose:

c.) selection of one of the plurality of nodes can invoke a context sensitive editor for information associated with the node view does not show the root node of the hierarchy. But Brassard discloses a hierarchically structured control information editor and further discloses a context sensitive editor to create, modify and display hierarchically structured control information (Column 4, Lines 6-34). Therefore it would have obvious to one having ordinary skill at the time of the invention to add context sensitive editing with the hierarchy navigation system of Ng. One would have been motivated to allow the context sensitive editing to add to user-friendliness of the invention and would make the invention efficient allowing the user to have personalized text and visual indicators.

Neither Ng or Brassard disclose that the view does not show the root node of the hierarchy. However Windows Explorer shows a hierarchy in which the root node is removed from view within the hierarchy (Figures 1 and 2; 101 and 201). OACS is the root node and once APPLICATIONS is chosen the exploded node becomes the focus of

view not displaying OACS. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow a view not including the root node in the modified Ng as taught by Windows explorer. One would have been motivated to provide this view because it provides an improved design choice for the system.

**Claim 8:** Ng, Brassard and Windows Explorer disclose a method as in Claim 7 and further disclose restoring an original view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 9:** Ng, Brassard and Windows Explorer discloses a method as in Claim 7 and further discloses:

- a.) selecting a third node in the hierarchy where third node is different from first and second (Ng: Column 4, Lines 11-48; Column 10, Lines 56-67); and
- b.) providing a view of the hierarchy where third node is root node (Ng: Column 2, Lines 51-58).

**Claim 10:** Ng, Brassard and Windows Explorer disclose a method as in Claim 9 and further disclose restoring a previous view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 11:** Ng discloses an interactive tool for interactively manipulating a graphical hierarchy including a plurality nodes comprising:



**a.) means** for selecting a first node in the hierarchy where the first node is different from a root node of the hierarchy (Column 4, Lines 11-48; Column 10, Lines 56-67) the first node is the root node and lower nodes can be selected which are subtrees in the hierarchy and not the root node;

**b.)** a (graphical user interface) GUI for providing a view of the hierarchy where first node is the root node of the viewer (Column 2, Lines 51-58); Ng allows multiple nodes to be displayed, and also allows for different selection of launch nodes which can further display more of a hierarchy tree, launch a website, or display further information about the node.

But Ng does not explicitly disclose that view does not show the root node of the hierarchy. However Windows Explorer shows a hierarchy in which the root node is removed from view within the hierarchy (Figures 1 and 2; 101 and 201). OACS is the root node and once APPLICATIONS is chosen the exploded node becomes the focus of view not displaying OACS. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to allow a view not including the root node in the modified Ng as taught by Windows explorer. One would have been motivated to provide this view because it provides an improved design choice for the system.

Nor does Ng explicitly disclose:

**c.)** selection of one of the plurality of nodes can invoke a context sensitive editor for information associated with the node. But Brassard discloses a hierarchically structured

control information editor and further discloses a context sensitive editor to create, modify and display hierarchically structured control information (Column 4, Lines 6-34). Therefore it would have obvious to one having ordinary skill at the time of the invention to add context sensitive editing with the hierarchy navigation system of Ng. One would have been motivated to allow the context sensitive editing to add to user-friendliness of the invention and would make the invention efficient allowing the user to have personalized text and visual indicators.

**Claim 12:** Ng, Brassard and Windows Explorer disclose a tool as in Claim 11 and further disclose the GUI restoring an original view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 13:** Ng, Brassard and Windows Explorer disclose a tool as in Claim 11 and further discloses the

- a.) if the second node in the hierarchy is selected, the GUI can provide a view of the hierarchy wherein the second node is the root node (Ng: Column 7, Lines 29-46);
- b.) second node is a child of the first node (Ng: Column 7, Lines 29-46). The launch node can be a child node of any of the available nodes.

**Claim 14:** Ng, Brassard and Windows Explorer disclose a tool as in Claim 13 and further disclose a GUI restoring a previous view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 15:** Ng, Brassard and Windows Explorer disclose a tool as in Claim 11 and further disclose the plurality of nodes representing information pertaining to portal resources (Ng: Column 7, Lines 29-46).

**Claim 16:** Ng, Brassard and Windows Explorer disclose a tool as in Claim 11 and further disclose the view of the hierarchy being part of a portal administration tool (Ng: Column 6, Lines 45-54).

**Claim 18:** Ng, Brassard and Windows Explorer disclose a method as in Claim 17 and further disclose instructions when executed will restore an original view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 19:** Ng, Brassard and Windows Explorer disclose as method as in Claim 17 comprising instructions causing system to:

- a.) select a second node in the hierarchy where second node is a child node of the first (Ng: Column 4, Lines 11-26);
- b.) provide a view of the hierarchy where second node is the root node (Ng: Column 7, Lines 29-46). Once launch nodes are activated they become the root node in the additional window.

**Claim 20:** Ng, Brassard and Windows Explorer disclose a method as in Claim 19 and further disclose instructions when executed restoring a previous view of the hierarchy (Ng: Column 4, Lines 49-56).

**Claim 21:** Ng, Brassard and Windows Explorer disclose a method as in Claim 17 and further disclose the plurality of nodes representing information pertaining to portal resources (Ng: Column 7, Lines 29-46).

**Claim 22:** Ng, Brassard and Windows Explorer disclose a method as in Claim 17 and further disclose the view of the hierarchy being part of a portal administration tool (Ng: Column 6, Lines 45-54).

### ***Response to Arguments***

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection as necessitated by the amendments.

### ***Conclusion***

Applicants amendments necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrod Keaton whose telephone number is 571) 270-1697. The examiner can normally be reached on Mon. thru Fri. and alternating Fri. off (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE KINCAID can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sy D. Luu/  
Sy D. Luu  
Primary Examiner

SLK

10-17-07